

FEDERAL COMMUNICATIONS COMMISSION
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August 31, 2007

Mark B. Denbo, Esq.
Fleischman and Harding, LLP
1255 Twenty-third Street NW, Eighth Floor
Washington, D.C. 20037

In re: WPWA (AM), Chester, Pennsylvania
Facility Identification Number: 37843
Mount Ocean Media, LLC
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed August 21, 2007, on behalf Mount Ocean Media, LLC ("MO"). MO requests special temporary authority (STA) for operation of Station WPWA with parameters at variance and/or reduced power while maintaining monitor points within authorized limits.¹ In support of the request, MO states that it has discovered problems with one of the detuning skirts on its towers. MO states that it anticipates commencing remedial action in the near term; however, in order to provide for continued operation of Station WPWA during the repair work, it requests STA for a six-month term.

Accordingly, the request for STA IS HEREBY GRANTED. Station WPWA may operate with parameters at variance and/or reduced power while maintaining monitor points within authorized limits. It will be necessary to further reduce power or cease operation if complaints of interference are received. MO must notify the Commission when licensed operation is restored.² MO must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. See 47 CFR § 1.1310.

This authority expires on **March 1, 2008**.

STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed

¹ WPWA is licensed for operation on 1590 kHz with 2.5 kilowatts daytime and 1 kilowatt nighttime, employing a directional antenna during nighttime hours only (DA-N-U).

² See 47 CFR §§ 73.45(c), 73.51, 73.54, 73.61(b)

facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles N. Miller". The signature is fluid and cursive, with a long horizontal stroke at the end.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Mount Ocean Media, LLC